



Province of Alberta

EMERGENCY MANAGEMENT ACT

LOCAL AUTHORITY EMERGENCY MANAGEMENT REGULATION

Alberta Regulation 203/2018

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Extract

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ALBERTA REGULATION 203/2018

Emergency Management Act

**LOCAL AUTHORITY EMERGENCY
MANAGEMENT REGULATION**

Table of Contents

1	Definition of employee
2	Emergency advisory committee bylaws and orders
3	Emergency management agency bylaws and orders
4	Emergency plan requirements
5	Review of emergency plans
6	Mandatory exercises
7	Regional services commissions and joint committees
8	Training requirements for elected officials and delegates
9	Park superintendent training requirements
10	Director of emergency management agency training requirements
11	Local authority employee training requirements
12	Exemption from course requirements
13	Extension of time to complete courses
14	Delegation by local authority
15	Coming into force

Definition of employee

1 In this Regulation, “employee” means

- (a) in the case of a municipality with a council within the meaning of the *Municipal Government Act*, employees of the council and the municipal corporation;
- (b) in the case of an improvement district,
 - (i) employees of the Minister’s department or any other department who have been assigned responsibilities relating specifically to the improvement district, or
 - (ii) if the Minister has established a council for the improvement district, employees of the improvement district including, but not limited to, employees of the council;

- (c) in the case of a special area, employees of the Special Areas Board;
- (d) in the case of a band council of an Indian band that is a local authority under the Act, employees of the band including, but not limited to, employees of the band council;
- (e) in the case of a Metis settlement, employees of the settlement including, but not limited to, employees of the settlement council;
- (f) in the case of a park superintendent of a national park or a superintendent's delegate, if the park superintendent is a local authority under the Act, employees of the Parks Canada agency who are supervised by the park superintendent or superintendent's delegate.

Emergency advisory committee bylaws and orders

2(1) A local authority shall appoint an emergency advisory committee by

- (a) bylaw, if the local authority is a municipal council, the settlement council of a Metis settlement, or the band council of an Indian band, or
- (b) order, if the local authority is the Minister responsible for the *Municipal Government Act*, the Minister responsible for the *Special Areas Act*, or a park superintendent of a national park or a superintendent's delegate.

(2) The bylaw or order must

- (a) set out the purposes of the committee, both during an emergency or disaster and when those events are not occurring,
- (b) establish that the committee provides guidance and direction to the local authority's emergency management agency,
- (c) establish procedures that must be followed when declaring a state of local emergency,
- (d) identify the committee's membership and Chair by title or position,
- (e) set out a minimum meeting frequency for the committee, which must be at least once per year, and

- (f) outline committee quorum and procedural requirements for decision making unless these requirements are set out in another local authority bylaw.

(3) The bylaw or order must be enacted or made and in effect on or before the date when this Regulation comes into force or, if an entity becomes a local authority under the Act after that date, within one year of the entity becoming a local authority.

Emergency management agency bylaws and orders

3(1) A local authority shall establish the local authority's emergency management agency by

- (a) bylaw, if the local authority is a municipal council, the settlement council of a Metis settlement, or the band council of an Indian band, or
- (b) order, if the local authority is the Minister responsible for the *Municipal Government Act*, the Minister responsible for the *Special Areas Act*, or a park superintendent of a national park or a superintendent's delegate.

(2) The bylaw or order must

- (a) set out the responsibilities of the agency,
- (b) appoint a person as the director of emergency management, or state that a person who holds a specified title or position is appointed as the director of emergency management by virtue of holding that title or position,
- (c) state that the agency is responsible for the administration of the local authority's emergency management program,
- (d) identify the frequency at which the agency must report to the emergency advisory committee to provide updates on agency activities, which must be at least once per year and must include an update on the agency's review of the local authority's emergency plan,
- (e) state that a command, control and coordination system prescribed by the Managing Director of the Alberta Emergency Management Agency will be used by the local authority's emergency management agency, and
- (f) indicate, if an agency is acting as the agent of more than one local authority, which local authorities the agency is acting as an agent for.

(3) The Managing Director of the Alberta Emergency Management Agency shall prescribe the command, control and coordination system referred to in subsection (2)(e) by posting notice of the incident command, control and coordination system to the Alberta Emergency Management Agency's website.

(4) The bylaw or order must be enacted or made and in effect on or before the date when this Regulation comes into force or, if an entity becomes a local authority under the Act after that date, within one year of the entity becoming a local authority.

Emergency plan requirements

4 A local authority's emergency plan must include

- (a) a description of the administration of the local authority's emergency management program,
- (b) the procedures for implementing the emergency plan during an emergency or exercise response,
- (c) the local authority's plan for preparedness, response and recovery activities,
- (d) a hazard and risk assessment,
- (e) emergency management program exercises that the local authority will engage in,
- (f) the local authority emergency management agency's plan for regular review and maintenance of the local authority's emergency plan,
- (g) the local authority emergency management agency's plan for the review and maintenance of the local authority's emergency plan after an exercise, emergency or disaster,
- (h) how the command, control and coordination system prescribed by section 3(3) will be used by the local authority's emergency management agency,
- (i) the assignment of responsibilities to local authority employees and elected officials, by position, respecting the implementation of the local authority's emergency plan,
- (j) a training plan for staff assigned with responsibilities under the local authority's emergency plan,
- (k) the mechanisms that will be used to prepare and maintain an emergency management staff contact list for

employees and elected officials who have been assigned responsibilities respecting the implementation of the local authority's emergency plan,

- (l) the local authority's plan for communications, public alerts and notifications during exercises, emergencies and disasters, and
- (m) the local authority's plan for providing emergency social services during an emergency or disaster.

Review of emergency plans

5(1) A local authority's emergency management agency must review the emergency plan that applies to that local authority at least once per year.

(2) A local authority's emergency management agency must make the emergency plan that applies to that local authority available to the Alberta Emergency Management Agency for review and comment annually.

(3) In the case of a summer village that has delegated the summer village's duties relating to the maintenance of an emergency plan to another local authority, that other local authority's emergency management agency is responsible for complying with subsections (1) and (2).

Mandatory exercises

6(1) Unless an exercise under subsection (2) is carried out that year, a local authority's emergency management agency must engage in at least one exercise per year in which participants identify a significant possible emergency or disaster scenario and discuss how the local authority would respond to and resolve emergency management issues that may arise from the scenario.

(2) A local authority's emergency management agency must engage in at least one exercise every 4 years in which participants identify a significant possible emergency or disaster scenario and carry out actions as if the significant emergency or disaster was actually occurring, but without deploying personnel or other resources.

(3) Subsection (2) does not apply to a local authority emergency management agency that has responded to an emergency or disaster within the previous 4 years that resulted in the implementation of the local authority's emergency plan and a written post-incident assessment that included observations and recommendations for improvement and corrective action being conducted.

- (4) A local authority emergency management agency may fulfill the obligations set out in subsections (1) and (2) by participating in regional emergency exercises that require the local authority to utilize relevant portions of the local authority's emergency plan.
- (5) A local authority emergency management agency must submit an exercise notification to the Alberta Emergency Management Agency 90 days before engaging in the exercise required by subsection (2).
- (6) The exercise notification must outline the exercise scenario, state the exercise objectives, identify the participants and state the date the exercise will be conducted.

Regional services commissions and joint committees

- 7(1)** If a local authority has delegated some or all of the local authority's powers or duties under the Act to a regional services commission, the local authority shall establish in a bylaw which powers or duties under the Act have been delegated to the commission, including whether the local authority will maintain an independent emergency management agency.
- (2) A local authority that is to be represented by a joint committee under section 11.3(1)(b)(ii) of the Act shall establish a bylaw setting out the powers or duties that are being delegated to the joint committee.
- (3) If a summer village has delegated some or all of the summer village's powers or duties under the Act to another local authority,
- (a) the summer village must establish in a bylaw which powers or duties under the Act have been delegated to the other local authority, and
 - (b) the other local authority must establish in a bylaw that it has accepted the powers and duties that have been delegated to the local authority.

Training requirements for elected officials and delegates

- 8(1)** The Managing Director of the Alberta Emergency Management Agency may prescribe courses that each of a local authority's elected officials must complete by posting notice of the courses on the Alberta Emergency Management Agency's website.
- (2) Any courses that are prescribed under subsection (1) must be completed
- (a) within 90 days of the elected official taking an official oath as required by section 156 of the *Municipal*

Government Act or section 23 of the *Metis Settlements Act*, as the case may be, or within one year of this Regulation coming into force, whichever is later, or

- (b) within 90 days of the councillor of an Indian band assuming office, or within one year of this Regulation coming into force, whichever is later, in the case of an Indian band that is a local authority under the Act.

(3) In the case of an improvement district for which a council has been established, each councillor shall take any courses prescribed under subsection (1) within 90 days of the councillor being appointed to the council, or within one year of this Regulation coming into force, whichever is later.

(4) In the case of an improvement district for which a council has not been established, each person to whom the Minister has delegated powers or duties under the Act as a local authority for that improvement district shall take any courses prescribed under subsection (1) within 90 days of the person being delegated those powers or duties, or within one year of this Regulation coming into force, whichever is later.

(5) Each of the members of the Special Areas Board shall take any courses prescribed under subsection (1) within 90 days of being appointed to the Board, or within one year of this Regulation coming into force, whichever is later.

(6) For greater certainty, this section does not apply to the Minister responsible for the *Municipal Government Act* or the Minister responsible for the *Special Areas Act*, or to any other Minister.

Park superintendent training requirements

9(1) If a park superintendent of a national park is a local authority under the Act, the park superintendent shall complete any courses prescribed under section 8(1).

(2) If a park superintendent has delegated the park superintendent's role as a local authority, the park superintendent's delegate shall complete the courses prescribed under section 8(1).

(3) Any courses that are prescribed under section 8(1) must be completed within 90 days of

- (a) the person being appointed as the park superintendent or being delegated the park superintendent's role as a local authority, or
- (b) the park superintendent or the superintendent's delegate becoming a local authority under the Act,

or within one year of this Regulation coming into force, whichever occurs last.

Director of emergency management agency training requirements

10(1) The Managing Director of the Alberta Emergency Management Agency may prescribe courses that each director of a local authority emergency management agency must complete by posting notice of the courses on the Alberta Emergency Management Agency's website.

(2) Any courses prescribed under subsection (1) must be completed within 18 months of the person being appointed as the director of a local authority's emergency management agency, or within 6 months of this Regulation coming into force, whichever is later.

Local authority employee training requirements

11(1) The Managing Director of the Alberta Emergency Management Agency may prescribe courses that each employee who has been assigned responsibilities respecting the implementation of the local authority's emergency plan must complete by posting notice of the courses on the Alberta Emergency Management Agency's website.

(2) Any courses prescribed under subsection (1) must be completed within 6 months of the employee being identified for a role in the local authority's emergency plan.

Exemption from course requirements

12(1) The Managing Director of the Alberta Emergency Management Agency may identify and approve courses that have substantially similar content to courses required under section 8, 9, 10 or 11 of this Regulation.

(2) The Managing Director may exempt a person from the requirement to complete courses required by section 8, 9, 10 or 11 of this Regulation if the person has completed courses that have been approved under subsection (1) as having substantially similar content.

(3) The Managing Director may exempt a person from the requirement to complete a course required by section 10 if the Managing Director determines that the person has experience or credentials in emergency management which make the completion of the course unnecessary

(4) The Managing Director may establish criteria to provide guidance on whether a person has experience or credentials in

emergency management which make the completion of a course required by section 10 unnecessary.

(5) The Managing Director may delegate all or part of the authority provided to the Managing Director by subsection (1), (2) or (3).

Extension of time to complete courses

13(1) The Managing Director of the Alberta Emergency Management Agency may grant an extension of time to a person who is required to complete courses under section 8, 9, 10 or 11 of this Regulation.

(2) The Managing Director may establish criteria to provide guidance regarding the granting of extensions of time to complete courses required by section 8, 9, 10 or 11 of this Regulation.

(3) The Managing Director may delegate all or part of the authority provided to the Managing Director by subsection (1).

Delegation by local authority

14 A local authority may delegate any of the powers or duties set out in this Regulation to

- (a) a committee composed of a member or members of the local authority, including an emergency advisory committee,
- (b) a regional services commission established under the *Municipal Government Act* representing 2 or more local authorities if the regional services commission is authorized in its establishing regulation to exercise that power or duty,
- (c) if authorized by ministerial order, a joint committee representing 2 or more local authorities that is composed of one or more members appointed by each of the local authorities, or
- (d) in the case of a summer village and if authorized by ministerial order, another local authority.

Coming into force

15 This Regulation comes into force on January 1, 2020.



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